

# HOUSE BILL No. 2016

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-19-7.

**Synopsis:** Court fee allocations. Reallocates the distribution of certain court fees collected by the clerk of a circuit court as follows: (1) 47% distributed to the auditor of state as the state share; (2) 44% retained by the county auditor as the county share; and (3) 9% for distribution to municipalities located in the county. Provides that the fees subject to reallocation are: (1) criminal costs fees; (2) infraction or ordinance violation costs fees; (3) juvenile costs fees; (4) civil costs fees; (5) small claims costs fees; (6) probate costs fees; and (7) deferred prosecution fees.

**Effective:** July 1, 2001.

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**Scholer, Welch, Goeglein**

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January 17, 2001, read first time and referred to Committee on Ways and Means.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 2016

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A BILL FOR AN ACT to amend the Indiana Code concerning courts.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 33-19-7-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The clerk of a  
3 circuit court shall semiannually distribute to the auditor of state as the  
4 state share for deposit in the state general fund ~~seventy~~ **forty-seven**  
5 percent (~~70%~~) (**47%**) of the amount of fees collected under the  
6 following:  
7 (1) IC 33-19-5-1(a) (criminal costs fees).  
8 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).  
9 (3) IC 33-19-5-3(a) (juvenile costs fees).  
10 (4) IC 33-19-5-4(a) (civil costs fees).  
11 (5) IC 33-19-5-5(a) (small claims costs fees).  
12 (6) IC 33-19-5-6(a) (probate costs fees).  
13 (7) IC 33-19-6-16.2 (deferred prosecution fees).  
14 (b) The clerk of a circuit court shall semiannually distribute to the  
15 auditor of state for deposit in the state user fee fund established under  
16 IC 33-19-9-2 the following:  
17 (1) Twenty-five percent (25%) of the drug abuse, prosecution,



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interdiction, and correction fees collected under IC 33-19-5-1(b)(5).

(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-19-5-1(b)(6), IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).

(3) Fifty percent (50%) of the child abuse prevention fees collected under IC 33-19-5-1(b)(7).

(4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-19-5-1(b)(8).

(5) One hundred percent (100%) of the highway work zone fees collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).

(6) One hundred percent (100%) of the safe schools fee collected under IC 33-19-6-16.3.

(c) The clerk of a circuit court shall monthly distribute to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-19-5-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-19-5-1(b)(6), IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall monthly distribute to the county auditor fifty percent (50%) of the child abuse prevention fees collected under IC 33-19-5-1(b)(8). The county auditor shall deposit fees distributed by a clerk under this subsection into the county child advocacy fund established under IC 12-17-17.

SECTION 2. IC 33-19-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The clerk of a circuit court shall forward the county share of fees collected to the county auditor in accordance with IC 33-19-1-3(a). The auditor shall retain as the county share ~~twenty-seven~~ **forty-four** percent (~~27%~~) (**44%**) of the amount of fees collected under the following:

(1) IC 33-19-5-1(a) (criminal costs fees).

(2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-19-5-3(a) (juvenile costs fees).

(4) IC 33-19-5-4(a) (civil costs fees).

(5) IC 33-19-5-5(a) (small claims costs fees).

(6) IC 33-19-5-6(a) (probate costs fees).

(7) IC 33-19-6-16.2 (deferred prosecution fees).



SECTION 3. IC 33-19-7-3, AS AMENDED BY P.L.98-2000, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) The qualified municipality share to be distributed to each city and town maintaining a law enforcement agency that prosecutes at least fifty percent (50%) of its ordinance violations in a circuit, superior, or county court located in the county is ~~three~~ **nine** percent (~~3%~~) (**9%**) of the amount of fees collected under the following:

- (1) IC 33-19-5-1(a) (criminal costs fees).
- (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-19-5-3(a) (juvenile costs fees).
- (4) IC 33-19-5-4(a) (civil costs fees).
- (5) IC 33-19-5-5(a) (small claims costs fees).
- (6) IC 33-19-5-6(a) (probate costs fees).
- (7) IC 33-19-6-16.2 (deferred prosecution fees).

(b) The county auditor shall determine the amount to be distributed to each city and town qualified under subsection (a) as follows:

STEP ONE: Determine the population of the qualified city or town.

STEP TWO: Add the populations of all qualified cities and towns determined under STEP ONE.

STEP THREE: Divide the population of each qualified city and town by the sum determined under STEP TWO.

STEP FOUR: Multiply the result determined under STEP THREE for each qualified city and town by the amount of the qualified municipality share.

(c) The county auditor shall semiannually distribute to each city and town described in subsection (a) the amount computed for that city or town under STEP FOUR of subsection (b).

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